

11-26-01

Alplant

**PLANT PATENT APPLICATION TRANSMITTAL**  
(For new Non-provisional applications under 37 CFR 1.53(b))

Attorney Docket No.: P1688USA  
 First Named Inventor: Andres Smaal  
 Title: Kalanchoe Plant Named Patty  
 Express Mail Label No. ET 289 782 709 US

11002 U.S. PTO  
 09/993406

10/61/11

Box PATENT APPLICATION  
 Commissioner For Patents  
 Washington, D.C. 20231

Sir:

Transmitted herewith for filing is a new plant patent application of inventor(s): Andres Smaal and entitled: **Kalanchoe Plant Named Patty**. For purposes of publication, this patent application is assigned to: **A.B. BREEDING BV**

**Application Elements:**

1. ☐ Applicant claims small entity status. See 37 CFR 1.163(b).
2. ☒ Specification containing 8 pages (2 copies required (37 CFR §1.163(b) - in accordance with the preferred arrangement).
3. ☒ Drawings: 1 Sheet of Color Drawing(s) (2 copies required - 37 CFR §1.165(b))
4. ☒ Oath or Declaration
  - a. ☒ An executed declaration or oath for the plant patent application including a power of attorney,
  - b. ☐ An unexecuted declaration or oath for the plant patent application including a power of attorney;
  - c. ☐ Copy from a prior application (37 CFR 1.63(d), for continuation/divisional with No. 15 completed.
  - i. ☐ Signed statement attached deleting inventor(s) named in the prior application (see 37 CFR 1.63(d)(2) and 1.33(b).
5. ☐ Application Data Sheet.
6. ☒ Assignment Papers (cover sheet, document(s) and requisite fee).
7. ☐ 37 CFR 3.73(b) Statement (where there is an assignee)  
☐ Power of Attorney
8. ☐ English Translation document (if applicable)
9. ☐ Information Disclosure Statement (IDS), including PTO-1449  
☐ Copies of IDS Citations

10. ☐ Preliminary Amendment
11. ☒ Return Postcard for PTO Mail Room Date Stamp (should be specifically itemized).
12. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed).
13. ☐ Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
14. ☐ Other \_\_\_\_\_

NOTE: Please state the Latin name and variety denomination of the plant claimed in a separate section of the specification.

15. ☐ **If Continuing Application**, check appropriate box and supply the requisite information below and in a preliminary amendment:
- ☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No. \_\_\_\_\_, filed \_\_\_\_\_.
- Prior application information: Examiner: \_\_\_\_\_ Group/Art Unit: \_\_\_\_\_

**For CONTINUATION or DIVISIONAL Applications only:** The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4c, is considered as being part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

#### Fee Calculation

16. ☒ A check in the amount ☒ \$510.00 for a Large Entity, or ☐ \$255.00 for a Small Entity, to cover the filing fee, is enclosed.
17. ☐ Please charge my Deposit Account No. 07-0181 in the amount of \$ \_\_\_\_\_.
18. ☒ The Commissioner is authorized to charge payment of the following amounts associated with this communication or credit any overpayment to Deposit Account No. 07-0181:
- ☒ Additional filing fees under 37 CFR 1.16 or deficiencies in remittances therefor.
- ☒ Additional processing fees under 37 CFR 1.17 or deficiencies in remittances therefor.
- ☐ **ONLY if applicant has partially paid** the patent issue fee under 37 C.F.R. §1.18, then the deficiency shall be charged to Deposit Account No. 07-0181, and the Commissioner is authorized to so charge the Deposit Account.

19. **Correspondence Address:** GARDNER, CARTON & DOUGLAS  
321 North Clark Street  
Suite 3400  
Chicago, Illinois 60610  
Telephone: (312) 644-3000  
Facsimile: (312) 644-3381

Customer Number (08968)  
and/or Bar Code Label:



08968

PATENT TRADEMARK OFFICE

Attorney:

Lisa V. Mueller  
Reg. No. 38,978

Date: November 19, 2001

**CERTIFICATE OF MAILING BY EXPRESS MAIL**

I hereby certify that this Plant Patent Application Transmittal, enclosed application, and any other documents referred to as enclosed herein, are being deposited in an envelope with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below and addressed to Box PATENT APPLICATION, Commissioner for Patents, Washington, D.C. 20231.

Express Mail Label No.: ET 289 782 709 US

Date of Deposit: November 19, 2001

Typed/Printed Name of Person Signing: Carol E. Arellano

Signature:

CH02/22158085.1

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# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

Complete if Known

TOTAL AMOUNT OF PAYMENT (\$ ) 550

Application Number

Filing Date

First Named Inventor

Andres Smaal

Examiner Name

Group / Art Unit

Attorney Docket No.

P1688USA

## METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to.

Deposit  
Account  
Number

07-0181

Deposit  
Account  
Name

GARDNER, CARTON &amp; DOUGLAS

☒ Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status  
See 37 CFR 1.27

2. ☒ Payment Enclosed.

☐ Check☐ Credit card☐ Money

Order

☐ Other

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	510
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1)

(\$ ) 510

## 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid	
-20**	0	X	0	
Independent Claims	-3**	0	X	0
Multiple Dependent		X	0	

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
103	18	203	9	Claims in excess of 20	
102	80	202	40	Independent claims in excess of 3	
104	270	204	135	Multiple dependent claim, if not paid	
109	80	209	40	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2)

(\$ ) 0

\*\*or number previously paid, if greater. For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	40 00
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ ) 40

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type)

Lisa V. Mueller

Registration No. Attorney/Agent)

38,978

Telephone

312-644-3000

Signature

Date

November 19, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231

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<b>CHANGE OF CORRESPONDENCE ADDRESS</b> <i>Application</i> Address to: Assistant Commissioner for Patents Washington, D.C. 20231	<b>Application Number</b>	
	<b>Filing Date</b>	
	<b>First Named Inventor</b>	Andres Smaal
	<b>Art Unit</b>	
	<b>Examiner Name</b>	
	<b>Attorney Docket Number</b>	P1688USA

Please change the Correspondence Address for the above-identified application to:

☐

Customer Number

Type Customer Number here



OR

<input type="checkbox"/> <b>Firm or Individual Name</b>	Lisa V. Mueller - Gardner, Carton & Douglas				
<b>Address</b>	321 N. Clark Street, Suite 3400				
<b>Address</b>					
<b>City</b>	Chicago	<b>State</b>	Illinois	<b>ZIP</b>	60610
<b>Country</b>	US				
<b>Telephone</b>	312-644-3000	<b>Fax</b>	312-644-3381		

This form cannot be used to change the data associated with a Customer Number. To change the data associated with an existing Customer Number use "Request for Customer Number Data Change" (PTO/SB/124).

I am the :

☐

Applicant/Inventor.

☐

Assignee of record of the entire interest.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

☒

Attorney or Agent of record.

☐

Registered practitioner named in the application transmittal letter in an application without an executed oath or declaration. See 37 CFR 1.33(a)(1). Registration Number \_\_\_\_\_

Typed or Printed Name

Lisa V. Mueller, Reg. No. 38,978

Signature

Date

November 19, 2001

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ \*Total of 1 forms are submitted.

Burden Hour Statement This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

**EXPRESS MAILING CERTIFICATE**  
**UNDER 37 C.F.R. § 1.10**

ET 289 782 709 US  
"Express Mail" Mailing Number

November 19, 2001  
Date of Deposit

I hereby certify this patent application and its enclosures are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above, addressed to:

Commissioner for Patents  
Box: PATENT APPLICATIONS  
Washington, D.C. 20231

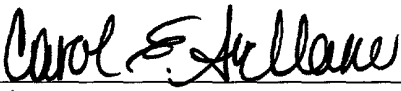
The following documents are included:

1. Plant Patent Application Transmittal Letter (3 pg.)
2. Fee sheet (in duplicate)
3. Specification in duplicate (8 pgs.)
4. Color Drawing Sheet in duplicate (1 pg.)
5. Declaration and Power of Attorney (2 pgs.)
6. Patent Recordation Form Cover Sheet (1 pg.)
7. Assignment document (2 pgs.)
8. Change of Correspondence Address (1 pg.)
9. Check No. 328803 in the amount of \$550.00 (1 pg.)
10. A return postcard

For: KALANCHOE PLANT NAMED PATTY

Our Reference No: P1688USA

Carol E. Arellano  
Typed name of person mailing this  
Certificate of Mailing

  
Signature